

(h) RELATIONSHIP TO OTHER SPECIAL PAYS.—The benefit authorized under this section is in addition to any other bonus or incentive or special pay that is paid or payable to a member under any other provision of this chapter for any portion of the same qualifying service.

(i) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Homeland Security for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(Added Pub. L. 107–107, div. A, title VI, §622(a)(1), Dec. 28, 2001, 115 Stat. 1140; amended Pub. L. 107–296, title XVII, §1704(c), Nov. 25, 2002, 116 Stat. 2314.)

#### AMENDMENTS

2002—Subsec. (i). Pub. L. 107–296 substituted “of Homeland Security” for “of Transportation”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.

#### EFFECTIVE DATE

Pub. L. 107–107, div. A, title VI, §622(b), Dec. 28, 2001, 115 Stat. 1142, provided that: “Section 325 of title 37, United States Code, as added by subsection (a), shall apply with respect to reenlistments and other agreements for qualifying service, as described in that section, that are entered into on or after October 1, 2001.”

### § 326. Incentive bonus: conversion to military occupational specialty to ease personnel shortage

(a) INCENTIVE BONUS AUTHORIZED.—The Secretary concerned may pay a bonus under this section to an eligible member of the armed forces who executes a written agreement to convert to, and serve for a period of not less than three years in, a military occupational specialty for which there is a shortage of trained and qualified personnel.

(b) ELIGIBLE MEMBERS.—A member is eligible to enter into an agreement under subsection (a) if—

- (1) the member is entitled to basic pay; and
- (2) at the time the agreement is executed, the member is serving in—

(A) pay grade E–6, with not more than 10 years of service computed under section 205 of this title; or

(B) pay grade E–5 or below, regardless of years of service.

(c) AMOUNT AND PAYMENT OF BONUS.—(1) A bonus under this section may not exceed \$4,000.

(2) A bonus payable under this section shall be disbursed in one lump sum when the member's conversion to the military occupational specialty is approved by the chief personnel officer of the member's armed force.

(d) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—A bonus paid to a member under this section is in addition to any other pay and allowances to which the member is entitled.

(e) REPAYMENT OF BONUS.—(1) A member who receives a bonus under this section and who, vol-

untarily or because of misconduct, fails to serve in such military occupational specialty for the period specified in the agreement executed under subsection (a) shall refund to the United States an amount that bears the same ratio to the bonus amount paid to the member as the unserved part of such period bears to the total period agreed to be served.

(2) An obligation to reimburse the United States imposed under paragraph (1) is, for all purposes, a debt owed to the United States.

(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of the agreement for which a bonus was paid under this section shall not discharge the person signing such agreement from the debt arising under paragraph (1).

(4) Under regulations prescribed pursuant to subsection (f), the Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(f) REGULATIONS.—The Secretaries concerned shall prescribe regulations to carry out this section. Regulations prescribed by the Secretary of a military department shall be subject to the approval of the Secretary of Defense.

(g) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2006.

(Added Pub. L. 108–136, div. A, title VI, §625(a), Nov. 24, 2003, 117 Stat. 1506.)

## CHAPTER 7—ALLOWANCES

Sec.	Definitions.
401.	Basic allowance for subsistence.
402.	Supplemental subsistence allowance for low-income members with dependents.
402a.	Basic allowance for housing.
403.	Repealed.]
[403a.	Cost-of-living allowance in the continental United States.
403b.	Travel and transportation allowances: general.
404.	Travel and transportation allowances: temporary lodging expenses.
404a.	Travel and transportation allowances: lodging expenses at temporary duty location for members on authorized leave.
404b.	Travel and transportation allowances: per diem while on duty outside the United States or in Hawaii or Alaska.
405.	Travel and transportation allowances: departure allowances.
405a.	Travel and transportation allowances: dependents; baggage and household effects.
406.	Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
406a.	Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
406b.	Travel and transportation allowances: members assigned to a vessel under construction.
406c.	Travel and transportation allowances: dislocation allowances. <sup>1</sup>
407.	Travel and transportation allowances: travel within limits of duty station.
408.	

<sup>1</sup> So in original. Does not conform to section catchline.

- 409. Travel and transportation allowances: house trailers and mobile homes.
- 410. Travel and transportation allowances: miscellaneous categories.
- 411. Travel and transportation allowances: administrative provisions.
- 411a. Travel and transportation allowances: travel performed in connection with convalescent leave.
- 411b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
- 411c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.
- 411d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.
- 411e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.
- 411f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member's burial ceremonies.
- 411g. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.
- 411h. Travel and transportation allowances: transportation of family members incident to the serious illness or injury of members.
- 411i. Travel and transportation allowances: parking expenses.
- 412. Appropriations for travel: may not be used for attendance at certain meetings.
- 413. Chairman and Vice Chairman of the Joint Chiefs of Staff.
- 414. Personal money allowance.
- 415. Uniform allowance: officers; initial allowance.
- 416. Uniform allowance: officers; additional allowances.
- 417. Uniform allowance: officers; general provisions.
- 418. Clothing allowance: enlisted members.
- 419. Civilian clothing allowance.
- 420. Allowances while participating in international sports.
- 421. Allowances: no increase while dependent is entitled to basic pay.
- 422. Cadets and midshipmen.
- 423. Validity of allowance payments based on purported marriages.
- 424. Band leaders.
- 425. United States Navy Band; United States Marine Band: allowances while on concert tour.<sup>1</sup>
- [426. Repealed.]
- 427. Family separation allowance.
- 428. Allowance for recruiting expenses.
- 429. Travel and transportation allowances: minor dependent schooling.
- 430. Travel and transportation: dependent children of members stationed overseas.
- 431. Benefits for certain members assigned to the Defense Intelligence Agency.
- 432. Travel and transportation: members escorting certain dependents.
- 433. Allowance for muster duty.
- 434. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.
- 435. Funeral honors duty: allowance.
- 436. High-deployment allowance: lengthy or numerous deployments; frequent mobilizations.

## AMENDMENTS

2003—Pub. L. 108-136, div. A, title V, §541(b)(5)(B), title VI, §635(b), Nov. 24, 2003, 117 Stat. 1477, 1511, added

item 404b and substituted “High-deployment allowance: lengthy or numerous deployments; frequent mobilizations” for “Per diem allowance for lengthy or numerous deployments” in item 436.

2000—Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, made technical amendment to directory language of Pub. L. 106-65, §586(c)(2). See 1999 Amendment note below.

Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(A)(ii)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, made technical amendment to directory language of Pub. L. 106-65, §578(k)(4). See 1999 Amendment note below.

Pub. L. 106-398, §1 [[div. A], title VI, §604(a)(2), 645(b), title X, §1087(b)(4)], Oct. 30, 2000, 114 Stat. 1654, 1654A-147, 1654A-162, 1654A-292, added items 402a and 411i and redesignated item 435 “Per diem allowance for lengthy or numerous deployments” as 436.

1999—Pub. L. 106-65, div. A, title V, §586(c)(2), Oct. 5, 1999, 113 Stat. 639, as amended by Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, added item 435 “Per diem allowance for lengthy or numerous deployments”.

Pub. L. 106-65, div. A, title V, §578(k)(4), Oct. 5, 1999, 113 Stat. 631, as amended by Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(A)(ii)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, added item 435 “Funeral honors duty: allowance”.

1998—Pub. L. 105-261, div. A, title VI, §633(b)(2), Oct. 17, 1998, 112 Stat. 2044, substituted “rest and recuperative leave from certain stations” for “leave from certain stations” in item 411c.

1997—Pub. L. 105-85, div. A, title VI, §603(c)(4), Nov. 18, 1997, 111 Stat. 1782, substituted “housing” for “quarters” in item 403 and struck out item 403a “Variable housing allowance”.

1994—Pub. L. 103-337, div. A, title VI, §602(a)(2), Oct. 5, 1994, 108 Stat. 2781, added item 403b.

1992—Pub. L. 102-484, div. A, title VI, §623(a)(2), Oct. 23, 1992, 106 Stat. 2423, added item 434.

1990—Pub. L. 101-510, div. A, title V, §504(a)(1), title XIV, §1484(f)(1), Nov. 5, 1990, 104 Stat. 1559, 1717, revised chapter heading so as to appear in all capital letters and renumbered Pub. L. 95-561, §1407(c)(1)(B). See 1978 Amendment note below.

1989—Pub. L. 101-189, div. A, title V, §502(b)(2), title VI, §624(a)(2), Nov. 29, 1989, 103 Stat. 1437, 1448, added items 406c and 433.

1987—Pub. L. 100-180, div. A, title VI, §§611(a)(2), 614(a)(2), (d)(3), 615(a)(2), title XIII, §1314(c)(2), Dec. 4, 1987, 101 Stat. 1093-1096, 1176, substituted “leave between consecutive overseas tours” for “certain leave” in item 411b, added items 411g and 411h, inserted “and Vice Chairman” in item 413, added item 419, and redesignated former items 419 and 420 as 420 and 421, respectively.

Pub. L. 100-26, §8(b)(1), Apr. 21, 1987, 101 Stat. 285, redesignated item 431 “Travel and transportation: members escorting certain dependents” as item 432.

1986—Pub. L. 99-661, div. A, title VI, §615(a)(2), Nov. 14, 1986, 100 Stat. 3880, added item 431 “Travel and transportation: members escorting certain dependents”.

1985—Pub. L. 99-145, title VI, §§616(c)(2), 620(a)(2), title XIII, §§1302(b)(2), 1303(b)(7), Nov. 8, 1985, 99 Stat. 641, 643, 738, 740, substituted “allowances:” for “allowances;” in item 404 and “departure” for “evacuation” in item 405a, struck out “away from home port” after “inactivating” in item 406b, added item 411f, substituted “allowances” for “allowance” in item 425, and added item 431 “Benefits for certain members assigned to the Defense Intelligence Agency”.

1984—Pub. L. 98-525, title VI, §§602(d)(2), 612(a)(2), Oct. 19, 1984, 98 Stat. 2536, 2539, struck out “; variable housing allowance” after “Basic allowance for quarters” in item 403, and added item 403a, and substituted “personal emergencies for certain members and dependents” for “certain emergencies for members performing temporary duty” in item 411d.